



House of Representatives

File No. 687

General Assembly

January Session, 2009

(Reprint of File No. 92)

Substitute House Bill No. 5019
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 16, 2009

**AN ACT PROHIBITING THE USE OF CERTAIN PRESCRIPTION DRUG
HISTORY AS AN UNDERWRITING TOOL TO DENY INDIVIDUAL
HEALTH INSURANCE COVERAGE.**

Be it enacted by the Senate and House of Representatives in General
Assembly convened:

1 Section 1. Subsection (h) of section 38a-481 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *January 1, 2010*):

4 (h) No insurance company, fraternal benefit society, hospital service
5 corporation, medical service corporation, health care center or other
6 entity [which] that delivers, issues for delivery, amends, renews or
7 continues an individual health insurance policy in this state [on or
8 after October 1, 2003, may] shall: (1) [move] Move an insured
9 individual from a standard underwriting classification to a
10 substandard underwriting classification after the policy is issued; [or]
11 (2) increase premium rates due to the claim experience or health status
12 of an individual who is insured under the policy, except that the entity
13 may increase premium rates for all individuals in an underwriting
14 classification due to the claim experience or health status of the

- 15 underwriting classification as a whole; or (3) use an individual's
16 history of taking a prescription drug for anxiety for six months or less
17 as a factor in its underwriting unless such history arises directly from a
18 medical diagnosis of an underlying condition.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2010	38a-481(h)

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

This bill does not result in a fiscal impact. It prohibits individual health insurance providers from using an individual's history of taking a prescription drug for anxiety, for six months or less, as a factor in its underwriting, unless usage derives from a medical diagnosis of an underlying condition.

House "A" clarifies the definition of "short-term basis" as six months or less and makes technical changes to the underlying bill. It does not result in a fiscal impact.

The Out Years

None

Sources: 2/3/09 Public Hearing Testimony

OLR Bill Analysis**sHB 5019 (as amended by House "A")******AN ACT PROHIBITING THE USE OF CERTAIN PRESCRIPTION
DRUG HISTORY AS AN UNDERWRITING TOOL TO DENY
INDIVIDUAL HEALTH INSURANCE COVERAGE.*****SUMMARY:**

This bill prohibits insurers or other entities in the individual health insurance market from using as an underwriting factor a person's history of taking a prescription drug for anxiety for six months or less. But it allows them to use such history if it arises directly from a medical diagnosis of an underlying condition.

By law, an insurer or entity cannot move an insured person from a standard underwriting classification to a substandard one after the policy is issued or increase premiums because of the person's claim experience or health status. The law allows for a premium increase that applies to all people in an underwriting classification as a whole.

The bill applies to each insurer, HMO, hospital or medical service corporation, or fraternal benefit society that delivers, issues, renews, amends, or continues an individual health insurance policy in Connecticut.

*House Amendment "A" (1) removes the term "particular," thus specifying that the bill applies to any prescription drug for anxiety; (2) changes from "a short-term basis" to six months or less the length of prescription drug use the bill covers; and (3) makes technical changes to the bill.

EFFECTIVE DATE: January 1, 2010

COMMITTEE ACTION

Insurance and Real Estate Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/05/2009)